



### **JURISDICTION AND VENUE**

1. The Inspector General Act of 1978 (“IG Act”) authorizes the Inspector “to make such investigations . . . relating to the administration of the programs and operations” of SSA. 5 U.S.C. § 406(a)(2).
2. The IG Act further confers the authority “to require by subpoena the production of all information, documents . . . necessary in the performance of the functions assigned by this chapter.” *Id.* at (a)(4).
3. This Court has subject matter jurisdiction over this petition under 28 U.S.C. §§ 1331, 1345, and 5 U.S.C. § 406(a)(4), which provides that subpoenas issued by Inspectors General under the Inspector General Act of 1978 “shall be enforceable by order of any appropriate United States district court.”
4. Mark Franco is the Deputy Assistant Inspector General for Investigations (“DAIGI”), who, among others, has delegated authority from the Inspector to issue administrative subpoenas under the IG Act. On April 16, 2024, DAIGI Franco issued the subject subpoena *duces tecum* (“Subpoena”) and the Subpoena was served upon Respondent.
5. Respondent, at all relevant times herein, is and has been, a Wyoming state entity.
6. Venue is proper in the District of Wyoming under 28 U.S.C. § 1391(b)(1)-(b)(2), because Respondent resides in this district, and because the SSA-OIG subpoena at issue seeks documents in Respondent’s possession.

### **INVESTIGATION AND RESPONDENT’S OBJECTION**

7. In March 2024, SSA-OIG initiated an investigation into whether a representative payee received and used Social Security payments on behalf of minor children for which the representative payee was not eligible.

8. On April 16, 2024, SSA-OIG issued the Subpoena. A true and correct copy of the subpoena is attached hereto as Exhibit A.
9. Petitioner served Respondent via email on April 18, 2024. The Subpoena sought records pertaining to two minor children and their custodial arrangements.
10. On April 22, 2024, Respondent conveyed its intention to file a motion to quash the subpoena due to state confidentiality statutes.
11. Following two virtual meetings, the parties amicably reached an understanding that Petitioner would file a Petition to Enforce Administrative Subpoena *Duces Tecum*.

**PRAYER FOR RELIEF**

WHEREFORE, the Inspector prays that this Court enter an Order:

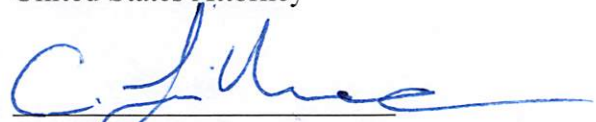
- A. Requiring Respondent to provide the subpoenaed documents no more than 30 days after issuance of the Order; and
- B. For such other relief the Court deems just and necessary.

DATED this 10th day of February 2025.

Respectfully Submitted,

ERIC HEIMANN  
United States Attorney

By:

  
C. LEVI MARTIN  
Assistant United States Attorney